

HANDOUT 2: Regina vs. Feeney

Michael Feeney was charged with the second degree murder of Frank Boyle. The following is the evidence in the case against Mr. Feeney.

The Evidence

Frank Boyle was an 85 year-old widower who was well-known the small northern town of Likely, B.C. Frank was last seen alive on the evening of June 7, 1991.

The Crime Scene

- At about 8:20 a.m. on June 8, 1991, Frank's neighbour noticed that Frank's garage door was open. This being out of the ordinary, the neighbour took a peek into Frank's house. He found Frank lying on his back in the living room.
- Frank had sustained five severe blows to the head, apparently from a crowbar. Any one of the blows was sufficient to kill him. Blood was spattered on the walls. The house was ransacked. Money, Sportsman cigarettes and beer were missing.
- Frank's red Datsun truck was found a few hours later, abandoned at an S curve in the road ½ km away. A bloody crowbar was found near the truck.

Witnesses

- On the same day, June 8, the police talked to Cindy Potter, who lived near where the Datsun truck was found. She said she saw someone she knew only as Michael walking on the road at about 6:45 a.m. that day, heading away from the Datsun. He had something in his hand – possibly a beer, possibly a stick.
- The police next spoke with Kelly Spurn. Kelly owned a property that he rented to Angela Feeney Russell and her partner Dale Russell. Angela's brother, Michael, arrived in town not long ago and had been staying in a small trailer at the back of the property. Kelly told the police that the night before, Michael had stolen his blue flatbed truck and ditched it in exactly the same spot where the Datsun was found.
- The police next visited the property rented by Dale Russell. Dale told the police that Michael took a joyride in Dale's blue flatbed truck the day before and ditched it up the road. He told police that Michael came home around 7 a.m. that morning after a night of drinking.
- The police later interviewed Angela Feeney Russell. She told them that her brother Michael had no blood on him when he arrived home that morning.
- However, when it came to the second trial, Angela testified that she might have seen a few blood spots on his shirt, but that she might have just dreamed that.

- Several people partying with Michael the night before (June 7) testified that he had been bumming beer and cigarettes from them. He said, he had no money.

Arrest of Michael Feeney

- After interviewing Dale Russell on June 8, the police proceeded to the trailer at the back of the property where Michael Feeney was said to be staying. The police did not have a search warrant. The police knocked on the trailer door, and when there was no answer, they walked in. They found Michael sleeping and arrested him for the murder of Frank Boyle.
- The police obtained a warrant under section 487.05 of the Criminal Code to take a blood sample from Michael.

Forensic Evidence:

Michael Feeney's Trailer

- Upon entering Michael Feeney's trailer, the police found a pair of Michael's shoes with blood on them. It was later determined that the blood matched Frank's blood type. The soles of the shoes matched shoe prints found at the scene of the crime. They also found a package of Sportsman cigarettes.
- The police also seized the blood-spattered T-shirt Michael was wearing at the time, later determined to match Frank's blood. When the police asked Michael why there was blood on his shirt, Michael responded, "I got hit in the face with a baseball". However, he had no facial injuries when he was arrested.



Frank Boyle's Property

- In the cabin on Frank's property, the police found Frank's empty wallet and a Sportsman cigarette butt.
- The police also found a fingerprint on the door of the refrigerator in Frank's home. When they plugged this fingerprint into the B.C. Automated Fingerprint Identification System, they matched those of Michael Feeney.

Off-site

- Police also determined that the blood on the crowbar found beside the Datsun was of the same blood type as Frank Boyle's.
- The police found another fingerprint on a beer can in the cab of the Datsun. When they plugged this fingerprint into the B.C. Automated Fingerprint Identification System, they matched those of Michael Feeney.